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8 *Debtors*

9 **UNITED STATES BANKRUPTCY COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

11 In re:

12 **PG&E CORPORATION,**

13 **- and -**

14 **PACIFIC GAS AND ELECTRIC COMPANY,**

15 **Debtors.**

- 16 ☐ Affects PG&E Corporation
17 ☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

18 ** All papers shall be filed in the Lead Case,*
19 *No. 19-30088 (DM).*

Case No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

**THIRD STIPULATION
REGARDING BRIEFING
SCHEDULE WITH RESPECT TO
CLAIM NO. 77335 (TODD
GREENBERG)**

[Related to Dkt. Nos. 9455, 9646]

Continuing Status and Scheduling
Conference from September 14, 2021, at
10:00 a.m. (PT) to November 9, 2021, at
10:00 a.m. (PT)

1 This stipulation (the “**Stipulation**”) is hereby entered into between PG&E Corporation
2 (“**PG&E Corp.**”) and Pacific Gas and Electric Company (the “**Utility**”), as debtors and
3 reorganized debtors (collectively, the “**Debtors**” or the “**Reorganized Debtors**”) in the above-
4 captioned cases (the “**Chapter 11 Cases**”), on the one hand, and Todd Greenberg, on the other
5 hand, by and through their respective counsel. The Reorganized Debtors and Mr. Greenberg are
6 referred to in this Stipulation collectively as the “**Parties**,” and each as a “**Party**.” The Parties
7 hereby stipulate and agree as follows:

8 **RECITALS**

9 A. On January 29, 2019 (the “**Petition Date**”), the Debtors commenced these
10 Chapter 11 Cases in the United States Bankruptcy Court for the Northern District of California
11 (the “**Bankruptcy Court**”). The Chapter 11 Cases are being jointly administered for procedural
12 purposes only pursuant to Rule 1015(g) of the Federal Rules of Bankruptcy Procedure.

13 B. On October 21, 2019, Mr. Greenberg filed Claim No. 77335, asserted in the amount
14 of \$37,635.04 (the “**Claim**”).

15 C. On November 5, 2020, the Reorganized Debtors filed the *Fortieth Omnibus*
16 *Objection to Claims (No Liability / Passthrough Claims)* [Docket No. 9455] (the “**Omnibus**
17 **Objection**”), which sought to disallow and expunge the Claim.

18 D. On December 1, 2020, Mr. Greenberg filed the *Response by Todd Greenberg to the*
19 *Reorganized Debtors’ Fortieth Omnibus Objection to Claims (No Liability / Passthrough Claims)*
20 [Docket No. 9646] (the “**Response**”).

21 E. The Omnibus Objection and the Response came before the Bankruptcy Court for a
22 status conference on March 24, 2021, at 10:00 a.m. (Pacific Time). The Bankruptcy Court
23 ordered the Parties to meet and confer regarding motion practice, discovery, and scheduling an
24 evidentiary hearing, and to appear at the omnibus hearing scheduled for April 28, 2021, at
25 10:00 a.m. (Pacific Time) (the “**Hearing**”).

26 F. The Parties met and conferred and agreed upon a schedule regarding discovery,
27 briefing, and a status conference to be held on July 28, 2021, (the “**Scheduling and Status**
28

1 **Conference**”) to select a date for an evidentiary hearing on the Claim. The schedule and status
2 conference dates were set forth in a Stipulation dated and filed with the Court on April 23, 2021 (the
3 **“First Stipulation”**) [Docket No. 10566] and approved by an order entered on April 26, 2021
4 [Docket No. 10587]. Pursuant to the First Stipulation, discovery was to be completed by June 16,
5 2021, and the briefing dates were scheduled in advance of the July 28, 2021 status conference.

6 G. On May 6, 2021, the Parties agreed to mediate the Claim, and mediation was
7 scheduled for June 3, 2021. To permit adequate time to complete discovery, the Parties
8 subsequently agreed to continue the mediation until July 22, 2021.

9 H. On May 14, 2021, Mr. Greenberg propounded written discovery requests to the
10 Reorganized Debtors, to which the Reorganized Debtors responded on June 16, 2021.

11 I. The Parties met and conferred regarding discovery issues on June 30, 2021, and, in
12 light of the July 22, 2021 mediation date, agreed to amend the briefing schedule and continue the
13 Scheduling and Status Conference.

14 J. The continued date of the Scheduling and Status Conference and other amended
15 briefing deadlines were set forth in a Stipulation dated and filed with the Court on July 13, 2021 (the
16 **“Second Stipulation”**) [Docket No. 10916] and approved by an order entered on July 15, 2021
17 [Docket No. 10932].

18 K. Pursuant to the Second Stipulation, on July 29, 2021, the Reorganized Debtors filed
19 the *Reorganized Debtors’ Further Objection to Claim No. 77335 and Request to Schedule One*
20 *Evidentiary Hearing for Three Claims Filed By Creditor Todd Greenberg*, together with a
21 supporting declaration of Jennifer L. Dodge [Docket Nos. 10995 and 10996] (the **“Further**
22 **Objection”**).

23 L. On August 13, 2021, Greenberg filed *Creditor Todd Greenberg’s Response to*
24 *Further Objection to Claim No. 77335* [Docket No. 11059] (the **“August 13 Response”**). The
25 August 13 Response did not address the substance of the Further Objection but was instead a request
26 for additional time for Greenberg to file an opposition and to continue the Scheduling and Status
27 Conference.

1 M. The Parties have since met and conferred, and have agreed to further amend the
2 briefing schedule and continue the Scheduling and Status Conference.

3 **NOW, THEREFORE, UPON THE FOREGOING RECITALS, WHICH ARE**
4 **INCORPORATED AS THOUGH FULLY SET FORTH HEREIN, IT HEREBY IS**
5 **STIPULATED AND AGREED, BY AND BETWEEN THE PARTIES, THROUGH THE**
6 **UNDERSIGNED, AND THE PARTIES JOINTLY REQUEST THE BANKRUPTCY COURT**
7 **TO ORDER, THAT:**

- 8 1. The briefing schedule set forth in the Second Stipulation is vacated.
- 9 2. The August 13 Response is deemed withdrawn without prejudice.
- 10 3. On or before October 7, 2021, Mr. Greenberg shall file an opposition to the Further
11 Objection, which shall function as a trial brief as set forth in the Bankruptcy Court's Trial
12 Scheduling Order.
- 13 4. On or before October 26, 2021, the Reorganized Debtors may file a reply brief.
- 14 5. The Scheduling and Status Conference shall be continued to November 9, 2021, at
15 10:00 a.m. (Pacific Time) to select a date for an evidentiary hearing on the Claim.
- 16 6. Except as provided in this Stipulation or subsequently agreed between the Parties,
17 each Party reserves all rights, substantive or procedural, concerning the Claim and the briefing
18 thereon.
- 19 7. This Court shall retain jurisdiction to resolve any disputes or controversies arising
20 from this Stipulation or any Order approving the terms of this Stipulation.

21 Dated: September 2, 2021

Dated: September 2, 2021

22 KELLER BENVENUTTI KIM LLP

TRODELLA & LAPPING LLP

23 /s/ Thomas B. Rupp
Thomas B. Rupp

/s/ Richard Lapping
Richard Lapping

24 *Attorneys for Debtors*
25 *and Reorganized Debtors*

Attorneys for Todd Greenberg